



PATENT  
Attorney Docket No.: 046700-5004-12

#10/182  
7/6/03

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

Marc ALAIA et al. )

Application No.: 09/828,731 )

Group Art Unit: 3624

Filed: April 9, 2001 )

Examiner: Patel, Jagdish

For: METHOD AND SYSTEM FOR  
CONTROLLING THE INITIATION  
AND DURATION OF OVERTIME  
INTERVALS IN ELECTRONIC  
AUCTIONS )

MAIL STOP: FEE AMENDMENT  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JUN 26 2003

GROUP 3600

Sir:

AMENDMENT

In response to the Official Action dated December 26, 2002, please amend this  
application as follows:

IN THE CLAIMS

Please delete claims 94, 104, 109-115, 117-125, 128, 129, 141, 142, 143, 152, 159-162.

Please amend claims 89, 95-99, 105-108, 138, 140, 151, 153-154 as follows:

89. A method to control overtime in an electronic auction, comprising:

(a) defining a first time interval corresponding to at least a portion of time during

which bids are submitted to the auction for a first lot defined at least in part by a buyer, a second

CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being  
deposited on the date shown below with the U.S. Postal Service with sufficient postage as first-class mail in an envelope  
addressed to Mail Stop: Fee Amendment, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-  
1450.

Name Kim R. Jessum

Signature

*K. R. Jessum*

Date of Deposit

June 17, 2003

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Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment responding to the Office Action dated December 26, 2002.
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
- ☐ Supplemental Information Disclosure Statement
- ☐ Form PTO-1449, \_\_references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Declaration

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I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited on the date shown below with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to Mail Stop: Fee Amendment, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name Kim R. Jessum

Signature

Date of Deposit

June 19, 2003

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input checked="" type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Extension of time fee due with this request: \$920.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	21	minus	49	0	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	5	minus	5	0	x \$84 each=	+ \$
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ 0


6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to withdraw \$920.00 from Deposit Account 50-0310 for a three-month extension of time.
- ☐ Check in the amount of \$\_\_\_\_\_ for \_\_\_\_\_. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: June 19, 2003

By:   
Kim R. Jessum  
Reg. No. 43,694

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